

ORDINANCE NO. 2003 - 060

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (TO MODIFY POLICY TE 1.4-U LIMITING A SECTION OF JOG ROAD RIGHT-OF-WAY FROM 120 FEET TO 100 FEET AND TO REDUCE THE NUMBER OF LANES FROM 4 TO 2 ON THE SEGMENT OF JOG ROAD BETWEEN HOOD ROAD AND DONALD ROSS ROAD) **MAP SERIES, THOROUGHFARE RIGHT-OF-WAY IDENTIFICATION MAP AND FUTURE 2020 ROADWAY SYSTEM BY NUMBER OF LANES MAP** TO REDUCE RIGHT-OF-WAY FROM 120 FEET TO 100 FEET AND TO REDUCE NUMBER OF LANES FROM 4 TO 2 ON THE SEGMENT OF JOG ROAD BETWEEN HOOD ROAD AND DONALD ROSS ROAD); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 13 & 27 and July 11, 2003, 2003 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 21, 2003 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on October 8, 2003 the Department of Community Affairs "Objections, Recommendations, and

1 Comments Report," dated October 3, 2003 which was the Department's
2 written review of the proposed Comprehensive Plan amendments; and

3 WHEREAS, the written comments submitted by the Department of
4 Community Affairs contained no objections to the amendments contained
5 in this ordinance;

6 WHEREAS, on November 24, 2003 the Palm Beach County Board of
7 County Commissioners held a public hearing to review the written
8 comments submitted by the Department of Community Affairs and to
9 consider adoption of the amendments; and

10 WHEREAS, the Palm Beach County Board of County Commissioners has
11 determined that the amendments comply with all requirements of the
12 Local Government Comprehensive Planning and Land Development
13 Regulations Act.

14 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
15 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

16 Part I. Amendments to the 1989 Comprehensive Plan

17 Amendments to the text of the following Element of the 1989
18 Comprehensive Plan are hereby adopted and attached to this Ordinance
19 in Exhibit 1:

20 A. Transportation Element, to modify Policy TE 1.4-U limiting
21 a section of Jog Road Right-of-Way from 120 feet to 100
22 feet and to reduce the number of lanes from 4 TO 2 on the
23 segment of Jog Road between Hood Road and Donald Ross Road;

24 B. Map Series, Thoroughfare Right-of-Way Identification Map
25 and Future 2020 Roadway System by Number of Lanes Map, to
26 reduce Right-of-Way from 120 feet to 100 feet and to reduce
27 the number of lanes from 4 TO 2 on the segment of Jog Road
28 between Hood Road and Donald Ross Road; and

29 C. Amending all elements as necessary for internal
30 consistency.

31 Part II. Repeal of Laws in Conflict

32 All local laws and ordinances applying to the unincorporated area
33 of Palm Beach County in conflict with any provision of this ordinance
34 are hereby repealed to the extent of such conflict.

35 Part III. Severability

36 If any section, paragraph, sentence, clause, phrase, or word of

1 this Ordinance is for any reason held by the Court to be
2 unconstitutional, inoperative or void, such holding shall not affect
3 the remainder of this Ordinance.

4 Part IV. Inclusion in the 1989 Comprehensive Plan

5 The provision of this Ordinance shall become and be made a part
6 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
7 Ordinance may be renumbered or relettered to accomplish such, and the
8 word "ordinance" may be changed to "section," "article," or any other
9 appropriate word.

10 Part V. Effective Date

11 The effective date of this plan amendment shall be the date a
12 final order is issued by the Department of Community Affairs or
13 Administration Commission finding the amendment in compliance in
14 accordance with Section 163.3184(1)(b), Florida Statutes, whichever is
15 applicable. No development orders, development permits, or land uses
16 dependent on this amendment may be issued or commence before it has
17 become effective. If a final order of noncompliance is issued by the
18 Administration Commission, this amendment may nevertheless be made
19 effective by adoption of a resolution affirming its effective status,
20 a copy of which resolution shall be sent to the Florida Department of
21 Community Affairs, Division of Community Planning, Plan Processing
22

1 Team. An adopted amendment whose effective date is delayed by law
2 shall be considered part of the adopted plan until determined to be
3 not in compliance by final order of the Administration Commission.
4 Then, it shall no longer be part of the adopted plan unless the local
5 government adopts a resolution affirming its effectiveness in the
6 manner provided by law.

7 APPROVED AND ADOPTED by the Board of County Commissioners of
8 Palm Beach County, on the 24 day of November, 2003.

9
10 ATTEST:

11 DOROTHY H. WILKIN, Clerk

PALM BEACH COUNTY, FLORIDA,

BY ITS BOARD OF COUNTY COMMISSIONERS

12
13
14 By: Linde C. Hickman

15 Deputy Clerk

By: Karen T. Marcus

16 Karen T. Marcus, Chair

17 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

18
19 [Signature]
20 COUNTY ATTORNEY

21
22 Filed with the Department of State on the 3 day of
23
24 December, 2003

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26 T:\Planning\AMEND\03-2\admin\bccadopt\Ordinances\Jog Road TIM & 2020.rtf

EXHIBIT 1

A. Transportation Element, Jog Road TIM and 2020 Amendment

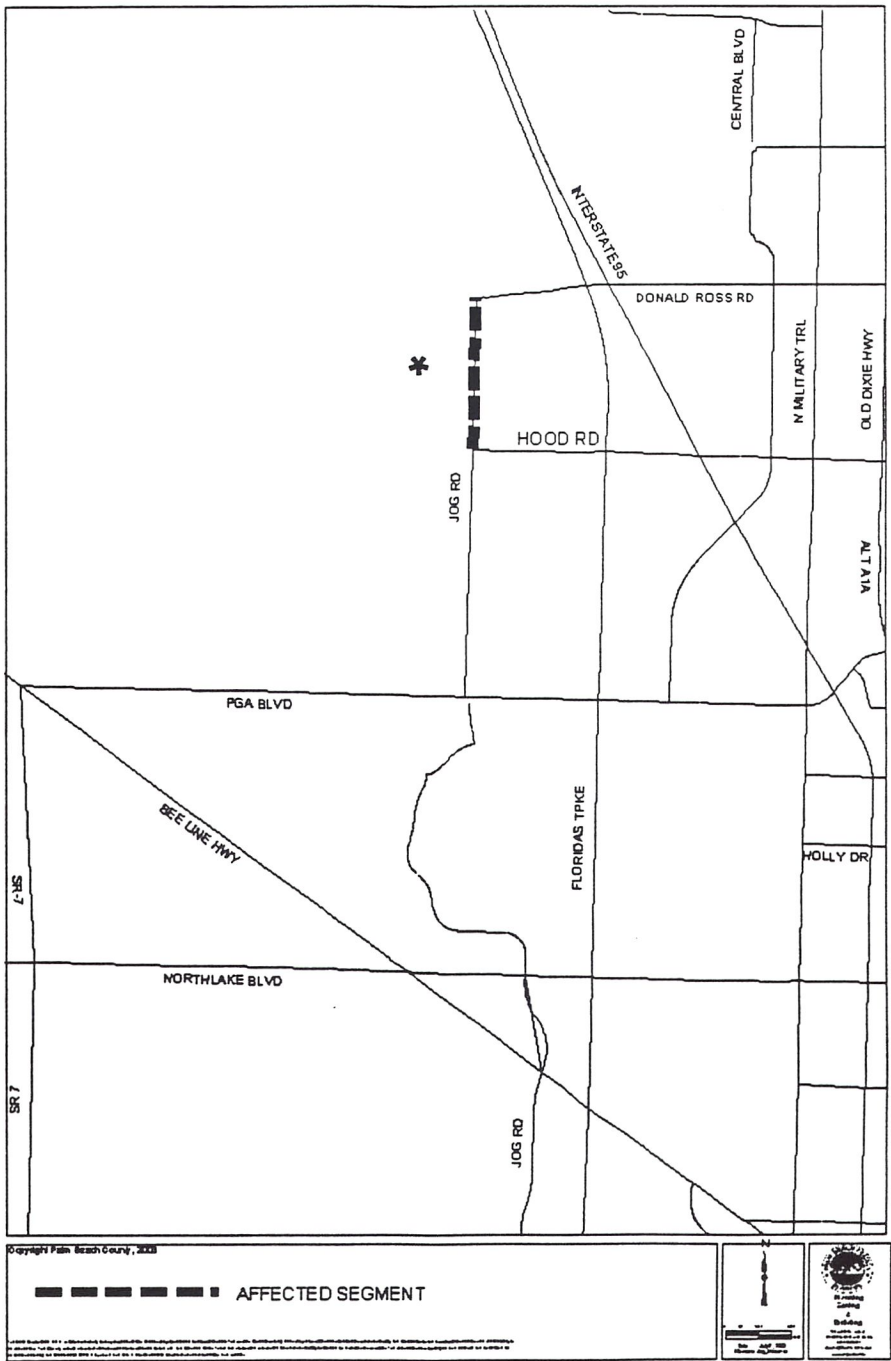
REVISIONS: Adding to Policy 1.4-u with regard to Jog Road. The added text is shown in underline format.

Policy 1.4-u: The following notes reflect conditions associated with roadway segments in the County's Thoroughfare Right of Way Identification Map (TIM): *(Unchanged text omitted for brevity)*

- 6. Jog Road, from Hood Road to Donald Ross Road, is a 100 foot section that shall be restricted to two through lanes with the remaining right-of-way to be used for drainage, landscaping, pathways, turning lanes, and bicycle paths. This 100-foot restriction does not apply to locations where roundabouts are needed.

B. Map Series, Thoroughfare Right-of-Way Identification Map (Figure TE 14.1) and Future 2020 Roadway System by Number of Lanes Map (Figure TE 1.1), Jog Road TIM and 2020 Amendment

REVISIONS: Change the Jog Road segment from Hood Road to Donald Ross Road from 120' ROW to 100' ROW (with an asterisk referring to Policy 1.4-u) on the TIM and from 4 lanes to 2 lanes on the 2020 Roadway Map.



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on November 24, 2003
DATED at West Palm Beach, FL on 12/17/03
DOROTHY H. WILKEN, Clerk
By: Deane Brown nc